



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:
Public Notice Number: NAN-2007-691-EHA
Issue Date: **26 OCT 2007**
Expiration Date: **26 Nov 2007**

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Suffolk County Department of Public Works
c/o Chief Engineer William Hillman
335 Yaphank Avenue
Yaphank, New York 11980

ACTIVITY: Dredge with ten years maintenance and sand beach placement

WATERWAY: Schoolhouse Creek, a tributary to Little Peconic Bay

LOCATION: Town of Southold, Suffolk County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a

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public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein may affect, but is not likely to adversely affect piping plover. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act. The applicant has obtained water quality certificate number 1-4738-03720/00003 from the New York State Department of Environmental Conservation in accordance with Section 401 of the Clean Water Act.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. In a letter dated June 1, 2007, the New York State Department of State concurred with the applicant's consistency certification (F-2007-0318). For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation permit number 1-4738-03720/00003

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8523 and ask for Naomi Handell.

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For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>



Richard L. Tomer
Chief, Regulatory Branch

26 Oct 2007

Enclosures

WORK DESCRIPTION

The applicant, Suffolk County Department of Public Works (SCDPW), has requested Department of the Army authorization to dredge with ten years maintenance and discharge sand for beach placement in Schoolhouse Creek, a tributary to Little Peconic Bay, Town of Southold, Suffolk County, New York.

The work would involve dredging by SCDPW, via hydraulic dredge, approximately 2,500 cubic yards of sandy material from an 800 foot long navigation channel with a variable width (up to 100 feet) to a depth of 6 feet below the plane of mean low water (see sheet 2 of 5).

The resultant dredge material, composed of 21% gravel, 78% sand, and 1% silt, would be deposited along a 700 linear foot section of beach to the north of the dredge site. Approximately 1,200 cubic yards of material would be deposited below the spring high water (SHW) line. Approximately 11,000 square feet of beach area below the SHW line would be affected (see sheet 3 of 5 and 5 of 5).

The stated purpose of this project is to maintain safe, navigable water depths for the vessels that use the waterway and to provide beach nourishment for the adjacent beach.

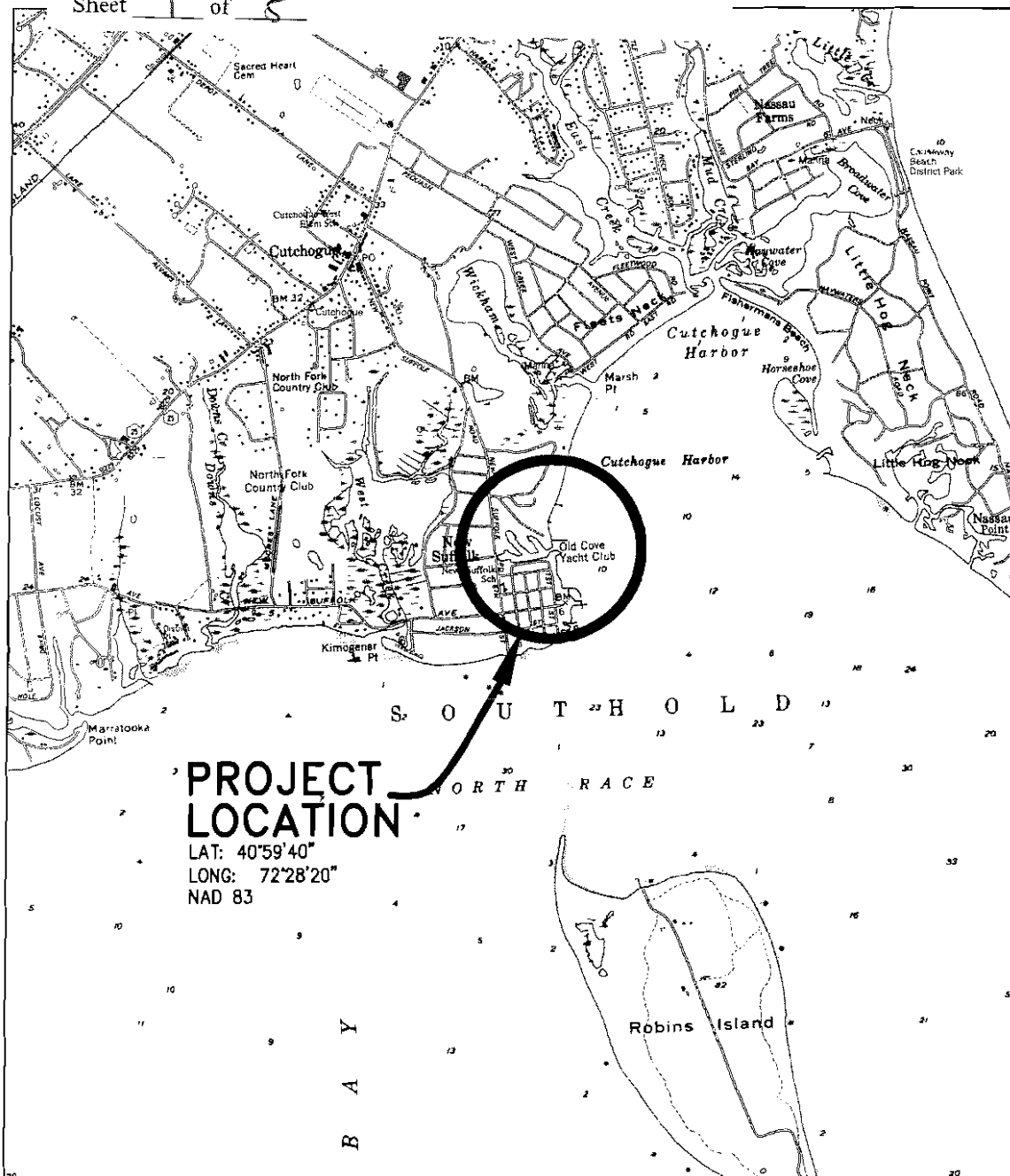


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Project Name: Schoolhouse Creek

Sheet 1 of 5



**PROJECT
LOCATION**

LAT: 40°59'40"
LONG: 72°28'20"
NAD 83

SCALE 1:48,000
LOCATION MAP

LOCATION MAP TAKING FROM
NYS DOT QUADRANGLE, MAPS FF58, FF59, GG58 & GG59

APPLICATION BY COUNTY OF SUFFOLK
GILBERT ANDERSON, P.E.,
COMMISSIONER

DEPARTMENT OF PUBLIC WORKS

USACE FILE NAN-2007-00691-EHA

MAINTENANCE DREDGING

AT

SCHOOLHOUSE CREEK

TOWN OF SOUTHOLD

SUFFOLK COUNTY, NEW YORK

DATE: MARCH 2007
*REV. AUG 21, 2007

SHEET 1 OF 5



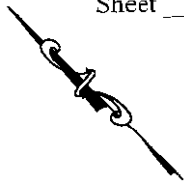
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Project Name: Schoolhouse Creek

Sheet 2 of 5

Cutchogue
Harbor



0 50 100
SCALE
1 INCH=100 FEET

FLOOD

EBB

MATCH LINE

AREA TO
BE DREDGED

NOTES:

- 1.METHOD: HYDRAULIC
- 2.TYPE OF MATERIAL: SAND
- 3.DREDGE APPROX. 2,500 CY
- 4.APPROX. 1,200 CY BELOW SHWL
- 5.APPROX. 11,000 SQ. FT. BELOW SHWL
- 6.AREA TO BE DREDGED
800 FT. LONG
100 FT. & VARIABLE WIDE
-6 FT. MLW DEEP

DATUM: 0.0 = 0.0 MEAN LOW WATER (MLW)
NGVD 29

APPLICATION BY COUNTY OF SUFFOLK
GILBERT ANDERSON, P.E.,
COMMISSIONER

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USACE FILE: NAN-2007-00691-EHA

MAINTENANCE DREDGING

AT

SCHOOLHOUSE CREEK

TOWN OF SOUTHOLD

SUFFOLK COUNTY, NEW YORK

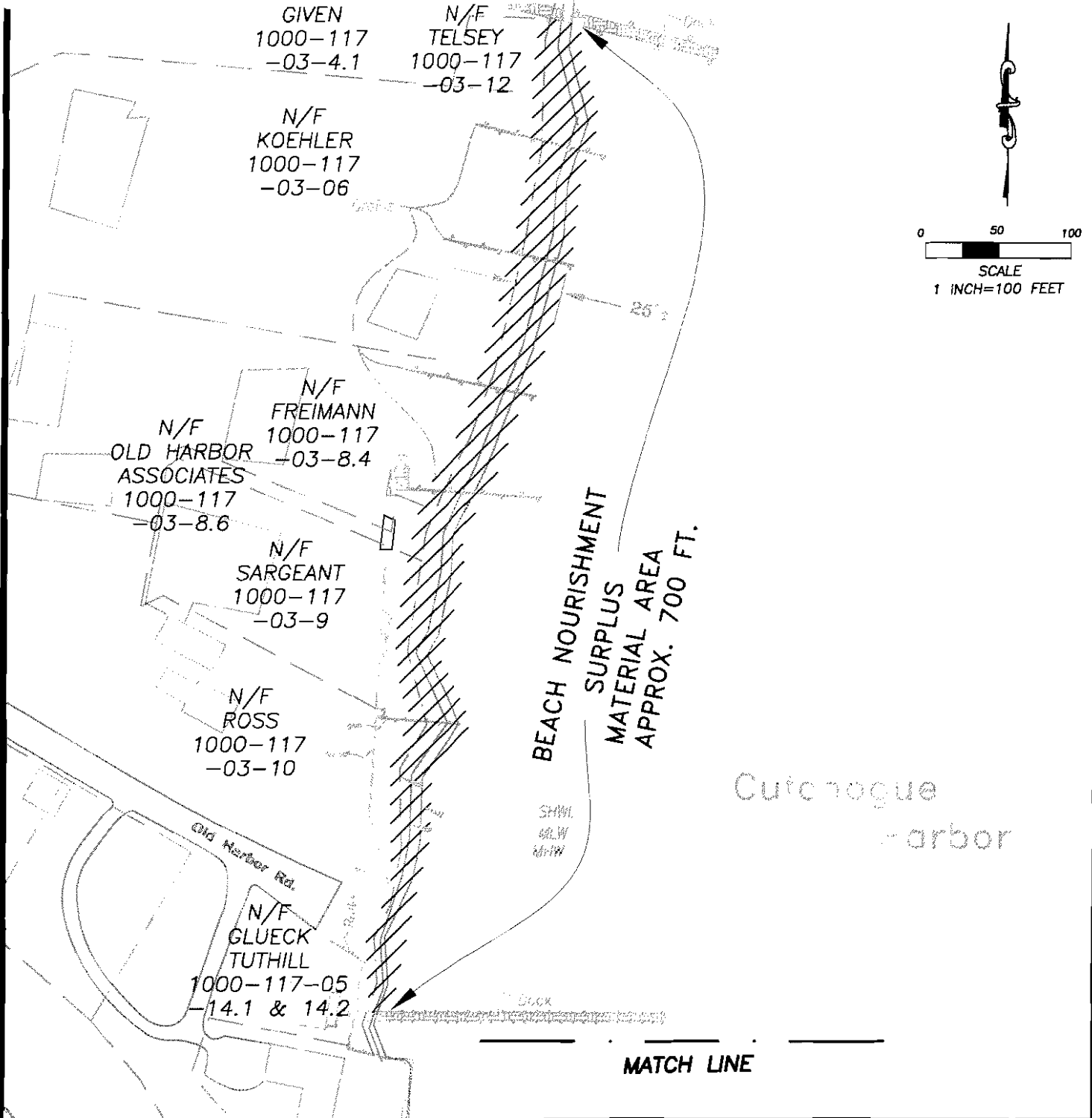
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SHEET 2 OF 5



US Army Corps
of Engineers
New York District

Corps #: NAH-2007-691
Project Name: SCHOOLHOUSE CREEK
Sheet 3 of 5



DATUM: 0.0 = 0.0 MEAN LOW WATER (MLW)
NGVD 29

APPLICATION BY COUNTY OF SUFFOLK
GILBERT ANDERSON, P.E.,
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DEPARTMENT OF PUBLIC WORKS
USACE FILE: NAH-2007-00691-EHA

MAINTENANCE DREDGING

AT

SCHOOLHOUSE CREEK

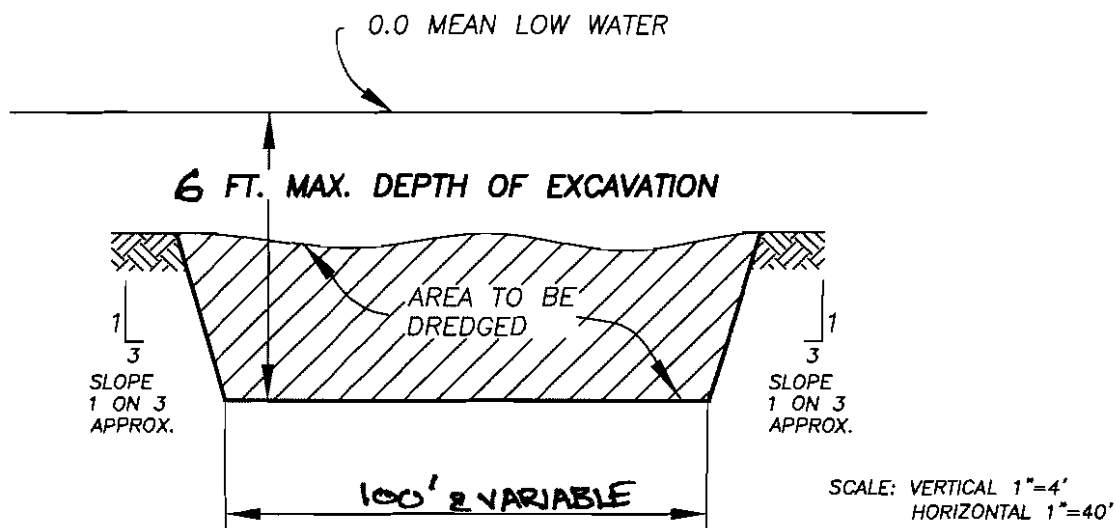
TOWN OF SOUTHOLD

SUFFOLK COUNTY, NEW YORK

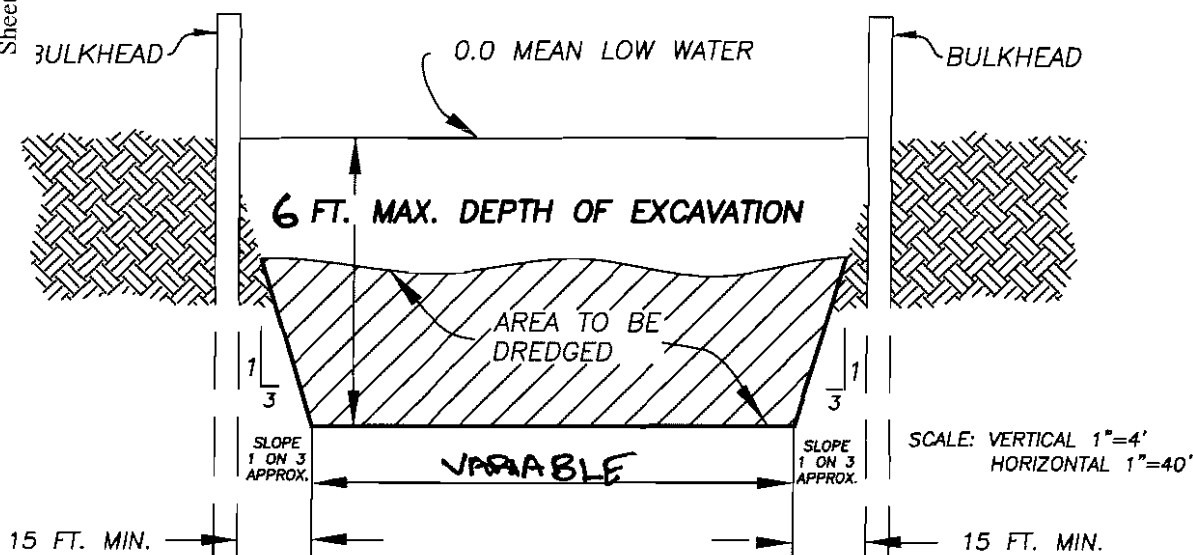
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SHEET 3 OF 5

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New York District
Project Name: Schoolhouse Creek
Sheet 4 of 5



TYPICAL CHANNEL SECTION



TYPICAL CHANNEL SECTION
BULKHEAD AREA

TOTAL DREDGED
VOLUME: APPROX. 2,500 CY

AREA TO BE DREDGED
800 FT. LONG
100 ± FT. WIDE
6 FT. MLW DEEP

DATUM: 0.0 = 0.0 MEAN LOW WATER (MLW)
NGVD 29

MAINTENANCE DREDGING

AT
SCHOOLHOUSE CREEK

TOWN OF SOUTHOLD

SUFFOLK COUNTY, NEW YORK

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SHEET 4 OF 5

APPLICATION BY COUNTY OF SUFFOLK
GILBERT ANDERSON, P.E.,
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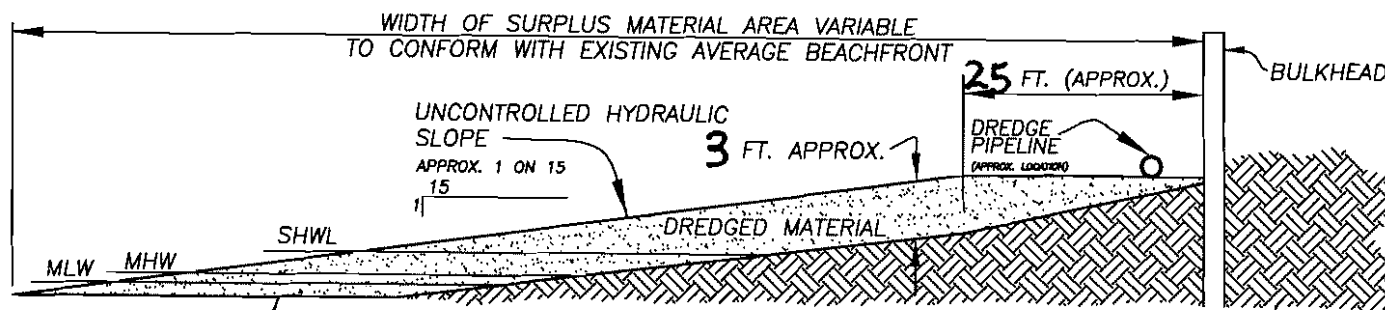
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Project Name: Schoolhouse Creek
Sheet 5 of 5



SCALE: VERTICAL 1"=10'
HORIZONTAL 1"=20'

DREDGED
MATERIAL
GRAVEL: 16.5 % / 25.5 %
SAND: 83.0 % / 73.7 %
SILT: 0.5 % / 0.9 %

TYPICAL SECTION SURPLUS MATERIAL AREA BEACH NOURISHMENT

EXISTING
SURFACE MATERIAL
GRAVEL: 14.5 %
SAND: 85.5 %
SILT: 0.0 %

LOCATION: NORTH OF CHANNEL
LENGTH: APPROX. 700'
CHARACTERISTICS: PUBLIC/PRIVATE
SAND BEACH

DATUM: 0.0 = 0.0 MEAN LOW WATER (MLW)
NGVD 29

MAINTENANCE DREDGING

AT
SCHOOLHOUSE CREEK
TOWN OF SOUTHDOLD
SUFFOLK COUNTY, NEW YORK
DATE: MARCH 2008
REV. AUG. 21, 2007
SHEET 5 OF 5

APPLICATION BY COUNTY OF SUFFOLK
GILBERT ANDERSON, P.E.,
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

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